Case 08-35653-KRH Doc 12068-1 Filed 06/25/12 Entered 06/25/12 15:37:44 Desc Exhibit(s) Exhibit A Page 1 of 3

## EXHIBIT A

## Supporting Schedule

## CIRCUIT CITY STORES, INC. Chapter 11 Case No. Case No. 08-35653-KRH United States Bankruptcy Court Eastern District of Virginia

Landlord: Agree Limited Partnership

Location: 515 N. Congress Ave., Boynton Beach, FL (Store #3237)

Lease Rejection Date: 3/11/2009

Lease Ending Date: 01/31/2017

ACTUAL DAMAGES UNDER APPLICABLE STATE LAW

Rent unpaid as of Petition Date: \$14,878.67

Balance of rent reserved from Lease Rejection Date

through <u>Lease Ending Date</u>: \$5,186,909.99

Total: \$5,201,788.66

CALCULATION OF DAMAGE CAP PURSUANT TO 11 U.S.C. § 502(B)(6)

Rent reserved for one year: \$662,158.72

15% of the rent reserved under the

remaining lease term following the Petition Date: \$5,462,809,46

<u>x 15%</u> \$819,421.42

Total allowed damages for remaining rent reserved: \$819,421.42

PRE-PETITION INDEBTEDNESS

Rent unpaid as of the Petition Date: \$14,878.67

Total Allowed Unsecured Claim: \$834,300.09

## Actual Damages from Rejection of Lease Under State Law

	· · · · · · · · · · · · · · · · · · ·		
Minimum Monthly Rent	\$52,513.22	1st Month Post Rejection	4/1/2009
Monthly CAM	\$2,666.67	Lease termination date	01/31/17
Electric		Difference (Months)	94
Total Monthly Rent	\$55,179.89	Total Rent Remaining	\$5,186,909.99
Default Damages (including			
new lease commission and			
space reconfiguration)			
Unpaid Pre-Petition Charges	\$14,878.67		
Grand Total Actual Damages	\$5,201,788.66	§ 502(b)(6) cap applies	YES
<del></del>			
Cap on La	andlord's Damages F	Pursuant to 11 U.S.C. § 502(b)(6)	
	<del></del>		
Minimum Monthly Rent	\$52,513.22	Tenant Vacated	3/11/2009
Monthly CAM	\$2,666.67	Lease Rejected	3/11/2009
Total Monthly Rent	\$55,179.89		
Total Worlding Rene	φ33,173.03	Petition Date	11/10/08
1 Year's Rent	\$662,158.72	Lease termination date	01/31/17
2.00,010,00	Ψ σ σ σ σ σ σ σ σ σ σ σ σ σ σ σ σ σ σ σ	Difference (Months)	99
Remaining Rent under	\$5,462,809.46	emerence (memma)	33
Lease term from Petition Date			
t			
15% of rent due under	\$819,421.42		
remaining Lease term			
(not to exceed 3 years' rent)			
3 Years' Rent	\$1,986,476.17		
Greater of §502(b)(6)(A)	\$819,421.42		
Unpaid Pre-Petition Charges	\$14,878.67		
Maximum amount of Claim	\$834,300.09		